

IN THE COURT OF MS. RANA KANWARDEEP KAUR CHAHAL,
ADDITIONAL SESSIONS JUDGE, KAPURTHALA (UID
NO.PB00223)

CNR No. PBKP010008162024



Case No. BA/310/2024

Presented on : 15-02-2024
Registered on : 16-02-2024
Decided on : 21-03-2024

Heera Singh, s/o Didar Singh, aged about 43 years, r/o Village Sarupwal,
Post Office Giddarpindi, Tehsil Sultanpur Lodhi, District Kapurthala.

....Applicant/accused

Versus

State of Punjab.

.....Respondent

FIR No.147 of 18.07.2023,
U/s 302 of IPC
Police Station Sultanpur Lodhi, District Kapurthala.

Application under Section 439 Cr.P.C.

Present: Shri Malkit Singh Thind, Advocate for applicant/accused
Sh.Manoj Kumar, Addl. PP for the State.
Sh.R.K. Anand, Advocate counsel for complainant.
ASI Jarnail Singh, No.986/Kpt., PS Sultanpur Lodhi, District
Kapurthala.

ORDER:-

1. The above named applicant/accused has filed this bail
application under Section 439 Cr.P.C in a case bearing FIR No.147 of
18.07.2023, U/s 302 of IPC, registered at Police Station Sultanpur Lodhi,
District Kapurthala. Challan has already been presented in the present
case.

Rana Kanwardeep Kaur Chahal,
ASJ/Kapurthala.
Dated 21.03.2024

2. Upon notice, Sh. Manoj Kumar, Additional Public Prosecutor appeared on behalf of State.

ARGUMENTS BY LD. COUNSEL FOR APPLICANT/ACCUSED:-

3. The learned Counsel for the applicant/accused has submitted that the applicant/accused is quite innocent and has committed no offence. The name of applicant was not mentioned in the FIR, but the police has wrongly implicated his name in the present case. He is in judicial custody since 21.07.2023. There is no evidence against the applicant to connect him with the commission of alleged crime. As per version of FIR itself, not even a single allegation levelled against the applicant. Nothing is to be recovered from the applicant. He is no more required by the police for any further investigation. He is law abiding citizen of India and is quite innocent. Conclusion of trial will take long time. Moreover, applicant/accused undertakes to abide by the conditions to be imposed by the Court while granting him bail and prayed that his bail application be allowed.

ARGUMENTS BY LD. ADDL. PUBLIC PROSECUTOR ASSISTED BY LEARNED COUNSEL FOR COMPLAINANT:-

4. On the other hand, the learned Addl. P.P for the State assisted by learned counsel for complainant has vehemently argued that as allegations against the applicant/accused are grave in nature. The offence attributed to the applicant/accused is very serious. He was rightly nominated in the present case. If applicant/accused is released at this

stage, he may abscond or tamper with prosecution evidence or may influence the prosecution witness. Accordingly, a prayer is made for dismissal of the bail application.

5. Today, ASI Jarnail Singh has appeared and suffered a statement that as per the record, no bail application under provisions of section 438 Cr.P.C. or 439 Cr.P.C. has been filed before the Hon'ble High Court or decided by it or by any other Superior Court against the present applicant/ accused in the present case.

6. I have heard the learned counsel for applicant/accused and learned Addl.PP for the State assisted by learned counsel for complainant and have also gone through the record.

7. The main trial file is taken up for the disposal of present bail application. Perusal of record shows that the present case has been registered at the instance of complainant Angrej Singh with the allegations that he was having two children i.e. one daughter Simranjit Kaur and one son Karanvir Singh. On 17.07.2023, he along with his family members i.e. his wife Charanjit Kaur and both his children Simranjit Kaur and Karanvir Singh were doing *Sewa* at Gurudwara Mata Sulakhani Ji, Sultanpur Lodhi. The daughter-in-law Rajbir Kaur of his aunt (*Maasi*) was also present there. It was about 12.30 PM, the complainant found missing his son Karanvir Singh from the Gurudwara Sahib and said Rajbir Kaur was also found missing from the spot. They started searching for his son and as per CCTV footage, said Rajbir Kaur

was seen left the spot with son of complainant. Thereafter, they found dead body of Karanvir Singh inside the *Bein* near Bussowal Road. It was alleged that said Rajbir Kaur was having illicit relations with brother of complainant namely Heera Singh and 2-3 times, they were caught red-handed by complainant. It was further alleged that few days ago, said Rajbir Kaur also quarreled with wife of complainant namely Charanjit Kaur due to aforesaid reason. The said Rajbir Kaur also threatened the wife of complainant that she will teach her a lesson. In view of aforesaid statement of complainant, the FIR was initially registered against accused Rajbir Kaur only. During investigation proceedings, on the basis of disclosure statement of accused Rajbir Kaur, applicant/ accused Heera Singh was also nominated in the present case vide Rapat No.01 of 19.07.2023 with addition of section 120-B of IPC.

8. So taking into consideration the facts and circumstances, as discussed above, nature of allegations and gravity of the offences, the applicant/accused does not deserve the concession of bail. Hence, bail application filed by the applicant/accused is hereby **dismissed**. However, any observation made above while disposing off this bail application shall not be considered an opinion of the undersigned on the merits of the case. This bail application be attached with the main case file of present FIR.

Pronounced on:
Dated:21.03.2024

Kaushal

(Rana Kanwardeep Kaur Chahal)
Addl. Sessions Judge, Kapurthala
(UID No. PB00223)

Rana Kanwardeep Kaur Chahal,
ASJ/Kapurthala.
Dated 21.03.2024

CIS No.	BA/310/2024
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Present: Shri Malkit Singh Thind, Advocate for applicant/accused
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Kapurthala.

Statement of ASI Jarnail Singh has been recorded.

Arguments heard. Vide my separate detailed order of even
date, the bail application filed by applicant/accused has been **dismissed**.

This bail application be attached with the main case file of present FIR.

Pronounced on: (Rana Kanwardeep Kaur Chahal)
Dated:21.03.2024 Addl. Sessions Judge,Kapurthala
Kaushal (UID No. PB00223)

Rana Kanwardeep Kaur Chahal,
ASJ/Kapurthala.
Dated 21.03.2024